

JUDGE SCHOFIELD

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRIAN TOTIN,

Plaintiff,

—against—

METROPOLITAN PROPERTY GROUP
INC., SAMI KATRI and CHARLES
MUNROE,

Defendants.

19 CV 6013

Civil Action No. _____

COMPLAINT

JURY DEMANDED

The Complaint of the Plaintiff, BRIAN TOTIN, respectfully shows and alleges as follows:

NATURE OF THE ACTION

1. This is an action for copyright infringement arising out of the Defendants' unauthorized use of two photographs authored and owned by the Plaintiff. Plaintiff is an award-winning photojournalist whose photographic work was published in a multitude of national publications including Sports Illustrated, ESPN the Magazine, Newsweek and The New York Times. Plaintiff subsequently became a real estate agent in New York City and parlayed his photographic expertise to make photographs of real estate for advertising purposes that result in a higher than average response rate of consumers to his advertising.

2. Defendants have willfully used photographs made by the Plaintiff without any form of authorization of the Plaintiff. Defendants used these images for advertising purposes in order to draw consumers to the properties Defendants were marketing and enjoyed brokerage commissions

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Defendants may have not been able to obtain without the unauthorized use of the Plaintiff's photographs.

3. Further, Defendants used Plaintiff's photographs to mislead and defraud the public through false and deceptive advertising. The photographs Defendants infringed upon were of two separate apartments at 22 West 77th Street in Manhattan and therefore could not correspond to the apartment Defendants were advertising. The apartment they were advertising, apartment number "7", does not exist at 22 West 77th Street. Upon information and belief, no apartment similar to the non-existent one Defendants were advertising was then actually available for rental. Upon information and belief, Defendants did not have the right to advertise any apartment in 22 West 77th Street as the exclusive right to advertise the apartments at 22 West 77th Street was granted by the owner to two non-party real estate brokerage firms.

4. Plaintiff is a licensed real estate salesperson, affiliated with a non-party licensed real estate broker. As set forth below, Defendants are licensed real estate brokers and salespersons. These licenses are issued pursuant to Article 12-A of the New York Real Property Law. The State of New York has issued Regulations Affecting Brokers and Salespersons under part 175 of Title 19 NYCRR.

5. It is well known that real estate agents are viewed with distrust by the public. In a 2015 Gallop poll located at <http://news.gallup.com/poll/187874/americans-faith-honesty-ethics-police-rebounds.aspx>, real estate agents ranked 9th worst out of 21 professions (lawyers ranked 10th). As anyone who has tried to rent an apartment in In New York City can attest, all too many of the real estate agents advertising apartments for rent engage in various forms of misrepresentation and fraud. Here, the Defendants did exactly that; Defendants advertised property they were not

permitted to advertise, with photographs that they were not permitted to use, of an apartment that never existed in the first place. Defendants then presumably tried to “bait and switch” members of the public to other apartments. Defendants did not care if they harmed the public through their false and misleading advertising. The willful, dishonest, and untrustworthy behavior of Defendants outlined in this paragraph goes right to the crux of statutory damages as it establishes Defendants’ state of mind, conduct and attitude when infringing on Plaintiff’s copyrights.

JURISDICTION AND VENUE

6. This is a civil action seeking damages and declaratory and injunctive relief for copyright infringement, arising under 17 U.S.C. §§ 101, et seq. This Court has original subject matter jurisdiction over the action under 28 U.S.C. §§ 1331 and 1338(a), as this action asserts copyright claims arising under the laws of the United States.

7. This Court has personal jurisdiction over Defendants because all Defendants are licensed to do business in this state and because Defendants conduct continuous, systematic, and routine business within this state and this District. Defendants also has committed the acts alleged herein in this District.

8. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b),(c),(d), and 1400(a) because Plaintiff’s claims arose in this district and because Defendant may be found in this District.

THE PARTIES

9. The Plaintiff herein is a citizen of the State of New York, County of New York.

10. Defendant METROPOLITAN PROPERTY GROUP INC (“MPG”) is a domestic business corporation organized under the laws of the State of New York. MPG is a Licensed Real Estate Broker in the State of New York holding license number 109938685.

11. Defendant SAMI KATRI (“Katri”) is the Principal Real Estate Broker, Corporate Broker, president and sole shareholder of Defendant MPG.

12. Defendant CHARLES MUNROE (“Munroe”) is a licensed real estate salesperson who was, at all time relevant, associated with Defendant MPG.

13. MPG and Katri are collectively referred to as “the MPG Defendants” herein.

ALLEGATIONS COMMON TO ALL CLAIMS

I. Plaintiff’s Copyrighted Works

14. Plaintiff has duly registered copyrights in and to 717 published photographs under the title “Published works of Brian Totin, 2017, Vol 1” with the United States Copyright Office and have complied with all applicable statutory registration and renewal requirements. The United States Copyright Office has issued a Certificate of Registration for “Published works of Brian Totin, 2017, Vol 1” under registration number VA 2-096-797 with an effective date of registration of March 7, 2018. A true and correct copy of registration number VA 2-096-797 is annexed as exhibit A.

15. Plaintiff has duly registered copyrights in and to 135 published photographs under the title “Published works of Brian Totin, 2017, Vol 2” with the United States Copyright Office and have

complied with all applicable statutory registration and renewal requirements. The United States Copyright Office has issued a Certificate of Registration for “Published works of Brian Totin, 2017, Vol 2” under registration number VA 2-097-805 with an effective date of registration of March 7, 2018. A true and correct copy of registration number VA 2-097-805 is annexed as exhibit A.

16. Contained within the group-registered work “Published works of Brian Totin, 2017, Vol 1”, registration number VA-2-096-797, is a photograph titled “22w77a63mr2.jpg” and contained within the group-registered work “Published works of Brian Totin, 2017, Vol 2”, registration number VA-2-097-805, is a photograph titled “22w77a24lav.jpg”.

17. True and correct copies of “22w77a63mr2.jpg” and “22w77a24lav.jpg” as they appear within registration numbers VA-2-096-797 and VA-2-097-805 are annexed as exhibit C.

18. The photographs “22w77a63mr2.jpg” and “22w77a24lav.jpg” are collectively referred to as the Totin Copyrighted Works herein.

19. The Totin Copyrighted Works are individual original works of authorship and constitute copyrightable subject matter under the Copyright Act, 17 U.S.C. §§ 101, et seq.

20. Plaintiff owns the exclusive right to reproduce the Totin Copyrighted Works, distribute copies of the Totin Copyrighted Works to the public and display the Totin Copyrighted Works publicly. Plaintiff is entitled to all of the protections and remedies for the Totin Copyrighted Works accorded to a copyright owner.

II. Defendant's Infringement of the Totin Copyrighted Works

21. Upon information and belief, Katri personally trained and instructed sales associates affiliated with MPG, including Munroe, in aspects of acting as a residential rental agent in New York City.

22. Upon information and belief, Katri personally trained and instructed sales associates affiliated with MPG, including Munroe, to commit copyright infringement when publishing advertising of apartments for rent in New York City.

23. Upon information and belief, Katri utilized a document he colloquially referred to as the "Bible" to train and instruct sales associates affiliated with MPG.

24. Upon information and belief, among other things, Katri's "Bible" trains and instructs sales associates affiliated with MPG in how to commit copyright infringement when publishing advertising of apartments for rent in New York City.

25. Upon information and belief, The MPG Defendants were put on notice to not engage in copyright infringement multiple times, by multiple parties, and ignored such notice.

26. The MPG Defendants were put on notice by Plaintiff in a 2013 email message to not engage in copyright infringement of Plaintiff's works. The MPG Defendants ignored said notice.

27. On or about June 6, 2018, Plaintiff discovered that Defendants published or caused to be published the two photographs contained in the Totin Copyrighted Works to the websites

http://www.apartments.com (the “apartments.com infringement”) and *http://www.showmojo.com* (the “showmojo.com infringement”).

28. True and correct copies of the apartments.com infringement and the showmojo.com infringement are annexed to this Complaint as Exhibit D.

III. Despite Notice, Defendants Continued to Infringe

29. In an attempt to resolve this matter, Plaintiff sent notice to Defendants of their infringement on June 21, 2018. Defendants ignored this notice.

30. Plaintiff, through an attorney, contacted Defendants in October 2018. Defendants responded through their attorney alleging that the photograph were removed.

31. Plaintiff discovered that the showmojo.com infringement was still active in February 2019.

32. Defendants refused to negotiate with Plaintiff in good faith to resolve this matter without the intervention of the Court. Plaintiff, while in contact with Munroe on an unrelated matter, was told by Munroe to, “grow up” when Plaintiff asked Munroe to explain his infringements of the Totin Copyright Works. Munroe also attempted to justify Defendants’ violation of Plaintiff’s rights by calling this matter “ridiculous because agents in New York take photos from other agents every single day.”

33. Defendants had actual knowledge that they were infringing upon the Totin Copyrighted Works as they continued to infringe upon the Totin Copyrighted Works after receiving notice.

34. In infringing upon the Totin Copyrighted Works, Defendants left an identifying watermark on each photograph.

35. The Defendants committed two separate willful infringements of the Totin Copyrighted Works.

FIRST CAUSE OF ACTION
Direct Copyright Infringement
(against MPG and Munroe)

36. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 35 as though fully set forth herein.

37. The Totin Copyrighted Works constitute copyrightable subject matter under the Copyright Act, 17 U.S.C. §§ 101, et seq. Plaintiff has recorded the copyrights in and to the Totin Copyrighted Works with the United States Copyright Office and have complied with all applicable statutory registration and renewal requirements.

38. On information and belief, Munroe placed or published the apartments.com infringement and the showmojo.com infringement of the Totin Copyrighted Works.

39. Under 19 NYCRR §175.25 (b) (1), “Only a real estate broker is permitted to place or cause to be published advertisements related to the sale or lease of property.” Therefore, MPG is the *de facto* publisher of all advertisements placed or caused to be published by its affiliated associate real estate brokers and real estate salespersons, including the apartments.com infringement and the showmojo.com infringement.

40. Plaintiff owns the United States copyrights in the Totin Copyrighted Works, and the exclusive right to reproduce the work, distribute copies of the work to the public and display the work publicly. Plaintiff is entitled to all of the protections and remedies for the Totin Copyrighted Works accorded to a copyright owner.

41. On information and belief, in direct violation of Plaintiff's exclusive rights, MPG and Munroe have directly infringed, and unless enjoined by this Court, will continue to infringe, on the copyrights in the Totin Copyrighted Works by, among other things, publishing the Totin Copyrighted Works to various websites without the consent of the Plaintiff.

SECOND CAUSE OF ACTION
Vicarious Copyright Infringement
(against the MPG Defendants)

42. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 41 as though fully set forth herein.

43. Under the doctrine of *respondeat superior*, Title 19 NYCRR, and New York State case law, it well established that a Real Estate Broker and the Principal Broker of the Real Estate Broker are vicariously liable for sales associate misconduct.

44. On information and belief, the MPG Defendants has the right, ability and responsibility to supervise the MPG Defendants' sales associate Munroe, and on information and belief, did supervise Munroe in his unlawful preparation, duplication, and distribution of the Totin Copyrighted Works.

45. On information and belief, the MPG Defendants enjoys a direct financial benefit from the preparation, duplication, and distribution of the infringements of the Totin Copyrighted Works.

46. In direct violation of Plaintiffs' exclusive rights, and as a consequence of the foregoing, the MPG Defendants have vicariously infringed the copyrights in the Totin Copyrighted Works.

THIRD CAUSE OF ACTION
Contributory Copyright Infringement
(against Sami Katri)

47. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 46 as though fully set forth herein.

48. On information and belief, Katri knew or had reason to know that the publications of the Totin Copyrighted Works referenced in paragraphs 27 and 28 above are unauthorized reproductions of the Totin Copyrighted Works.

49. On information and belief, Katri induced, caused, and materially contributed to the unauthorized preparation, duplication, distribution, and public display of the Totin Copyrighted Works, by personally training and instructing sales associates affiliated with MPG to commit copyright infringement when publishing advertising of apartments for rent in New York City, and Katri continues to do so.

50. In violation of Plaintiffs' exclusive rights, Katri has contributed to the infringement and, unless enjoined by this Court, will continue to contribute to the infringement of the copyrights in the Totin Copyrighted Works.

51. Katri was, upon information and belief, put on notice by multiple third parties to not infringe in their works. Katri was put on notice by Plaintiff to not infringe in his works four years prior to Plaintiff's creation of the Totin Copyright Works. It is clear that, by continuing to personally train and instruct sales associates affiliated with MPG to commit copyright infringement after receiving notice, Katri's actions were done with willful, reckless and malicious intent directed towards all photographers that create photographs of apartments in New York City.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment against Defendant as follows:

1. That the Court find that:
 - a. MPG and Munroe have infringed the copyrights in the Totin Copyrighted Works;
 - b. The MPG Defendants have vicariously infringed the copyrights in the Totin Copyrighted Works through the actions of Munroe.
 - c. Katri has, with willful, reckless and malicious intent, contributed to the infringement of the copyrights in the Totin Copyrighted Works.
2. That the Court enter a declaration that Defendants' publication of the Totin Copyrighted Works constitutes infringement of the Totin Copyrighted Works.
3. That the Court find that as a direct and proximate result of Defendants' foregoing acts, Plaintiff is entitled to the following damages:

- a. At Plaintiffs' election, statutory damages of up to \$150,000 for each separate Totin Copyrighted Work infringed for willful infringement pursuant to 17 U.S.C. § 504(c), or Plaintiffs' actual damages sustained as a result of Defendants' acts of copyright infringement according to proof and Defendants' profits obtained as a result of their acts of copyright infringement according to proof; and
- b. Plaintiff's reasonable attorneys' fees and costs pursuant to the Copyright Act of 1976, 17 U.S.C. §§ 101, et seq., and 17 U.S.C. § 505.

4. That the Court find that the threat of irreparable harm to Plaintiff as a result of Defendants' conduct leaves Plaintiff without adequate remedy at law, and therefore that Plaintiff is entitled to an injunction restraining Defendant, their agents, servants, employees, attorneys, successors, assigns, subsidiaries, and all persons, firms, and corporations acting in concert with them, from directly or indirectly infringing the copyrights in the Totin Copyrighted Works, including but not limited to continuing to distribute, market, advertise, promote, produce, sell, or offer for sale the Totin Copyright Works or any works derived or copied from the Totin Copyrighted Works, and from participating or assisting in any such activity whether or not it occurs in the United States.

5. That the Court enjoin Defendants, their agents, servants, employees, attorneys, successors, assigns, subsidiaries, and all persons, firms, and corporations acting in concert with them, from directly or indirectly infringing the copyrights in the Totin Copyrighted Works, including but not limited to continuing to distribute, copy, publicly perform, market, advertise, promote, produce, sell, or offer for sale the Totin Copyrighted Works or any works derived or copied from the Totin Copyrighted Works, and from participating or assisting in any such activity whether or not it occurs in the United States.

6. That the Court grant such other, further relief as it deems just and proper.

Dated: June 26, 2019
New York, New York

Respectfully submitted,

BRIAN TOTIN, PRO SE



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New York, NY 10023
(917)-881-1830
brian@briantotin.com

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury as provided by Rule 38 of the Federal Rules of Civil Procedure.

Dated: June 26, 2019
New York, New York

Respectfully submitted,

BRIAN TOTIN, PRO SE



Brian Totin
PO Box 230581
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(917)-881-1830
brian@briantotin.com

EXHIBIT A



Kary A. Tush

VA 2-096-797

Copyright Registration for a Group of Published Photographs

For Photographs Published: January 03, 2017 to September 28, 2017

Title

- Individual Photographs:

- **Individual Photographs:** 139w83a2slr rev.jpg, 139w83a2slr.jpg, 139w83a5s1k.jpg, 139w83a5s1lav.jpg, 139w83a5s1lr.jpg, 139w83a5sk.jpg, 139w83a5slav.jpg, 139w83a5slr.jpg,

139w83a5slr2.jpg, 148w70a3k.jpg, 148w70a3lav.jpg, 148w70a3mr1.jpg, 148w70a3mr2.jpg, 148w70a9k.jpg, 148w70a9lav.jpg, 148w70a9MR1.jpg, 148w70a9MR2.jpg, 148w70a15k.jpg, 148w70a15mr1.jpg, 148w70a15mr2.jpg, 148w705th fl lav.jpg, 158w81a33br1.jpg, 158w81a33br2.jpg, 158w81a33k.jpg, 158w81a33lav.jpg, 158w81a33lr1.jpg, 158w81a42br1.jpg, 158w81a42br2.jpg, 158w81a42k.jpg, 158w81a42lav.jpg, 158w81a42lr.jpg, 158w81a51br1.jpg, 158w81a51br1a.jpg, 158w81a51br2.jpg, 158w81a51br3.jpg, 158w81a51k.jpg, 158w81a51lav.jpg, 158w81a51lr1.jpg, 158w81a51lr2.jpg, 158w81a61br1.jpg, 158w81a61br1b.jpg, 158w81a61br21.jpg, 158w81a61br1b.jpg, 158w81a61lav.jpg, 158w81a61lr1.jpg, 158w81a61lr2.jpg, 158w81aBR1.jpg, 158w81abr2.jpg, 158w81aK.jpg, 158w81alav.jpg, 158w81alr.jpg, 158w81alr2.jpg, 158w81aphlr under con.jpg, 158w81aphterr.jpg, 158w81aphunder reno hdr.jpg, 158w81aphwall o glass.jpg, 158w81avbr1a.jpg, 158w81avbr1b.jpg, 158w81avbr2a.jpg, 158w81avbr2b.jpg, 158w81avk.jpg, 158w81avlav.jpg, 158w81avlr1.jpg, 158w81avlr2.jpg, 158w81avview.jpg, 158w81foyer.jpg, 160clare1hbr1.jpg, 160clare1hbr2.jpg, 160clare1hbr3.jpg, 160clare1hk1.jpg, 160clare1hk2.jpg, 160clare1hlav.jpg, 160clare1hlr1.jpg, 160clare1hlr2.jpg, 160clare2fbr1.jpg, 160clare2fbr2.jpg, 160clare2fk.jpg, 160clare2flav.jpg, 160clare2flr1.jpg, 160clare3kbr1.jpg, 160clare3kk.jpg, 160clare3klav.jpg, 160clare3klr.jpg, 160clare5fbr1.jpg, 160clare5fk.jpg, 160clare5flr1.jpg, 160clare5flr3.jpg, 160clare5jbr1.jpg, 160clare5jk2.jpg, 160clare5jlr3.jpg, 160clareexterior.jpg, 163w735ek.jpg, 163w735clav.jpg, 163w735emr1.jpg, 163w735emr2.jpg, 202w96a1cbr1a.jpg, 202w96a1cbr1b.jpg, 202w96a1cbr2.jpg, 202w96a1ck.jpg, 202w96a1clav.jpg, 202w96a1clr1.jpg, 202w96a1clr2.jpg, 202w96a1cobl.jpg, 202w96a1cobl2.jpg, 202w96a1cok.jpg, 202w96a1colav.jpg, 202w96a1colr1.jpg, 202w96a1dbr.jpg, 202w96a1dk.jpg,

Published: January 2017

- **Individual Photographs:**

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Published: January 2017

- **Individual Photographs:** 240w104a5ebr.jpg, 240w104a5ebr2.jpg, 240w104a5ek.jpg,
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Published: January 2017

- **Individual Photographs:** 785weaa2bmaids.jpg, 785weaa3ebr1.jpg, 785weaa3ebr2.jpg,
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Published: January 2017

- **Individual Photographs:** 15w95a2rbr.jpg, 15w95a2rk.jpg, 15w95a2rlav.jpg, 15w95a2rlr1.jpg, 15w95a2rlr2.jpg, 22w77a32br.jpg, 22w77a32br2.jpg, 22w77a32lav.jpg, 22w77a32view.jpg, 22w77a42br1.jpg, 22w77a42br2.jpg, 22w77a42k.jpg, 22w77a42lav.jpg, 22w77a42lr.jpg, 22w77a42lr2.jpg, 22w77a63k.jpg, 22w77a63lav.jpg, 22w77a63mr1.jpg, 22w77a63mr2.jpg, 22w77a66br1.jpg, 22w77a66br2.jpg, 22w77a66k.jpg, 22w77a66lav.jpg, 22w77a66lr.jpg, 22w77lobby.jpg, 22w77roof.jpg, 30w61a21ebr.jpg, 30w61a21ek.jpg, 30w61a21elav.jpg, 30w61a21elr.jpg, 40w89a4bk.jpg, 40w89a4bmr.jpg, 40w89a4bmr2.jpg, 40w89a4bter.jpg, 40w89a4bwd.jpg, 44w72a3hk.jpg, 44w72a3hlav.jpg, 44w72a3hlr1.jpg, 44w72a3hlr2.jpg, 47w90a3k.jpg, 47w90a3lav.jpg, 47w90a3mr1.jpg, 47w90a3mr2.jpg, 47w90a9k.jpg, 47w90a9lav.jpg, 47w90a9mr1.jpg, 47w90a9mr2.jpg, 47w90a9mr3.jpg, 55w75a4k.jpg, 55w75a4lav.jpg, 55w75a4lr1.jpg, 55w75a4lr2.jpg, 55w75a4nock.jpg, 55w75a4outdoor.jpg, 55w75a7br.jpg, 55w75a7k.jpg, 55w75a7lav.jpg, 55w75a7lr.jpg, 55w75a7ter.jpg, 64w82a1fk.jpg, 64w82a1flav.jpg, 64w82a1fmr1.jpg, 64w82a1fmr2.jpg, 64w82a1fmr3.jpg, 64w82a1fmr4.jpg, 64w82a1rbr.jpg, 64w82a1rk.jpg, 64w82a1rlav.jpg, 64w82a1rlr1.jpg, 64w82a1rlr2.jpg, 64w82a1rlr3.jpg, 64w82a1rlr4.jpg, 64w82a1ryard1.jpg, 64w82a1ryard2.jpg, 83washa1fbr.jpg, 83washa1fk.jpg, 83washa1flav.jpg, 83washa1flr1.jpg, 83washa1flr2.jpg, 100w76a2n1br1a.jpg, 100w76a2n1br1b.jpg, 100w76a2n1br2.jpg, 100w76a2n1dr.jpg, 100w76a2n1k.jpg, 100w76a2n1lav1.jpg, 100w76a2n1lav2.jpg, 100w76a2n1lr2.jpg, 100w76a2n2br1.jpg, 100w76a2n2br2.jpg, 100w76a2n2t 3.jpg, 100w76a2n2dr1.jpg, 100w76a2n2k.jpg, 100w76a2n2lav1.jpg, 100w76a2n2lav2.jpg, 100w76a2n2lr1.jpg, 100w76a2n2lr2.jpg, 100w76a3nbr1.jpg, 100w76a3nbr2.jpg, 100w76a3nbr3.jpg, 100w76a3nbr.jpg, 100w76a3nk.jpg, 100w76a3nlav.jpg, 100w76a3nlav2.jpg, 100w76a3nlr.jpg, 100w76a4n2br2.jpg, 100w76a4n2dr.jpg, 100w76a4n2k.jpg, 100w76a4n2lav.jpg, 100w76a4n2lr.jpg, 100w76a4n2mbr.jpg, 100w76a4n2office.jpg, 101w70a3nbr1.jpg, 101w70a3nbr2.jpg, 101w70a3nbr3.jpg, 101w70a3nbr4.jpg, 101w70a3nk1.jpg,

Published: February 2017

- **Individual Photographs:** 310w89a2fbr2.jpg, 310w89a5rbr.jpg, 310w89a5rk.jpg, 310w89a5rlav.jpg, 310w89a5rlr.jpg, 310w89a5rlr2.jpg, 315w102a1bbr.jpg, 315w102a1bk.jpg, 315w102a1blav.jpg, 315w102a1blr.jpg, 315w102a1bwic.jpg, 315w102a2dk.jpg, 315w102a2dlav.jpg, 315w102a2dlr.jpg, 315w102a4dbr1.jpg, 315w102a4dbr2.jpg, 315w102a4dk.jpg, 315w102a4dlav.jpg, 315w102a4dlr.jpg, 315w102a5bbr1.jpg, 315w102a5bbr2.jpg, 315w102a5bk.jpg, 315w102a5blav.jpg, 315w102a5blr.jpg, 315w102a6abr1.jpg, 315w102a6abr1a.jpg, 315w102a6abr2.jpg, 315w102a6abr2a.jpg, 315w102a6ak.jpg, 315w102a6alav.jpg, 315w102a6alr.jpg, 315w102a8fbr1a.jpg, 315w102a8fbr1b.jpg, 315w102a8fbr2.jpg, 315w102a8fk.jpg, 315w102a8flav.jpg, 315w102a8flr.jpg, 315w102lobby.jpg, 423amsta5cbr.jpg, 423amsta5ck.jpg, 423amsta5clav.jpg, 423amsta5clr.jpg, 423amsta5cobr.jpg, 423amsta5cok.jpg, 423amsta5colav.jpg, 423amsta5colav2.jpg, 423amsta5colr1.jpg, 423amsta5colr2.jpg, 423amsta5coter.jpg, 423amsta5cter.jpg, 471cola4br.jpg, 471cola4k.jpg, 471cola4lav.jpg, 471cola4lr1.jpg, 471cola4lr2.jpg, 504w110a4dbr1.jpg, 504w110a4dbr2.jpg, 504w110a4dk.jpg, 504w110a4dlav.jpg, 504w110a4dlav2.jpg, 504w110a4dlr1.jpg, 504w110a4dlr2.jpg, 504w110a4dobr1.jpg, 504w110a4dobr2.jpg, 504w110a4dok.jpg, 504w110a4dolav.jpg, 504w110a4dolr.jpg, 504w110a4dolr2.jpg, 507w169a53br1.jpg,

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Published: February 2017

Completion/Publication

Year of Completion: 2017
Earliest Publication Date in Group: January 03, 2017
Latest Publication Date in Group: September 28, 2017
Nation of First Publication: United States

Author

• **Author:** Brian Totin
Author Created: photographs
Citizen of: United States
Year Born: 1976

Copyright Claimant

Copyright Claimant: Brian Totin
PO Box 230581, New York, NY, 10023, United States

Rights and Permissions

Name: Brian Totin
Email: brian@briantotin.com
Telephone: (917)881-1830
Address: PO Box 230581
New York, NY 10023 United States

Certification

Name: Brian Totin
Date: March 07, 2018

Copyright Office notes: Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group.

Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as .XLS or .PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the application.

EXHIBIT B



Hayden Claythorn

March 07, 2018

Title

- **Individual Photographs:** IG 785 river.jpg, IG glass.jpg, IG Hudson1.JPG, IG Hudson2.jpg, IG

Hudson3.jpg, IG Hudson4.jpg, IG Hudson5.jpg, IG Hudson6.jpg, IG Hudson7.JPG, IG Hudson8.jpg, IG Hudson9.jpg, IG salem1.jpg, IG salem2.JPG, IG salem3.JPG, IG salem4.JPG, IG salem5.JPG, IG salem6.JPG, IG salem7.JPG, IG salem8.JPG, IG steps.jpg, IG street.jpg, IG Sunset.jpg, IG towers.jpg.

Published: November 2017

Completion/Publication

Year of Completion: 2017
Earliest Publication Date in Group: October 02, 2017
Latest Publication Date in Group: December 30, 2017
Nation of First Publication: United States

Author

• **Author:** Brian Totin
Author Created: photographs
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Year Born: 1976

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Certification

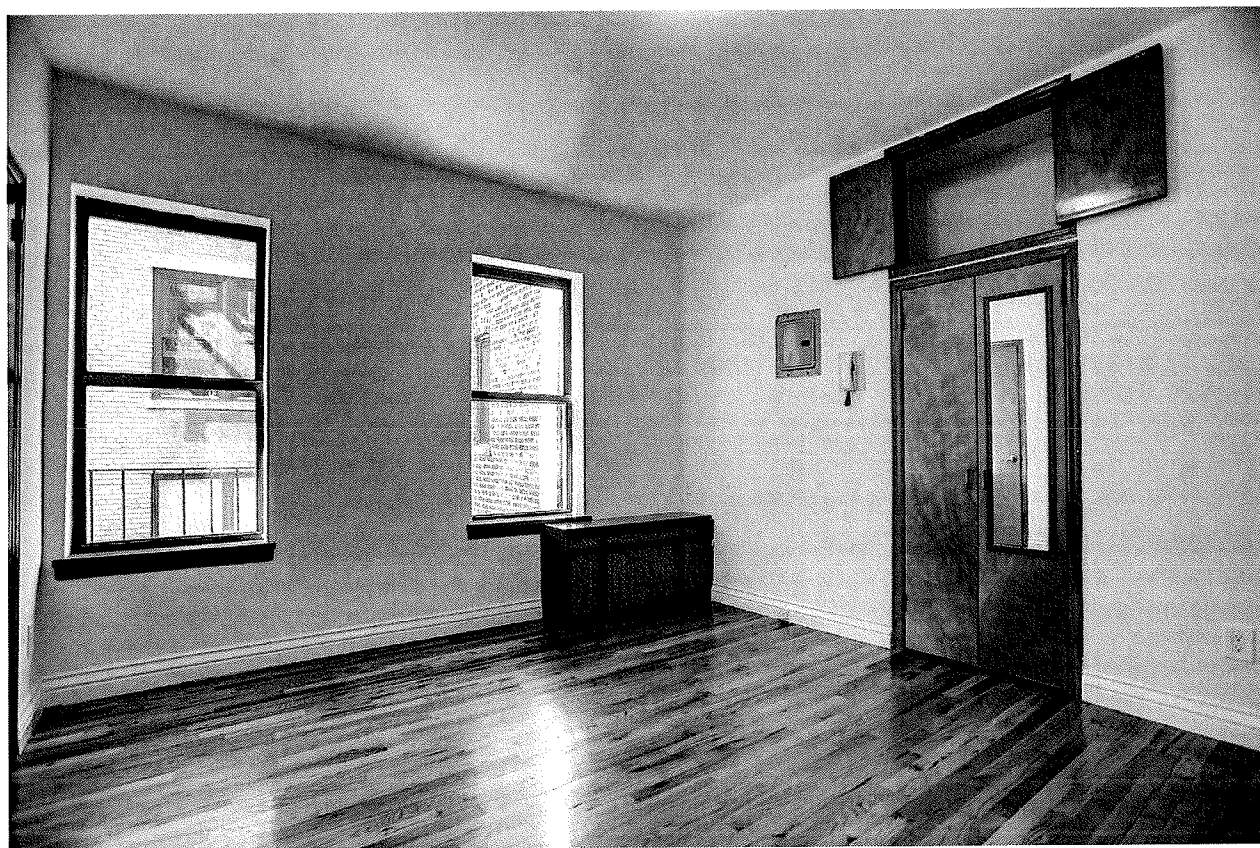
Name: Brian Totin
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EXHIBIT C



"22w77a63mr2.jpg" of
"Published works of Brian Totin, 2017, Vol 1", registration number VA 2-096-797

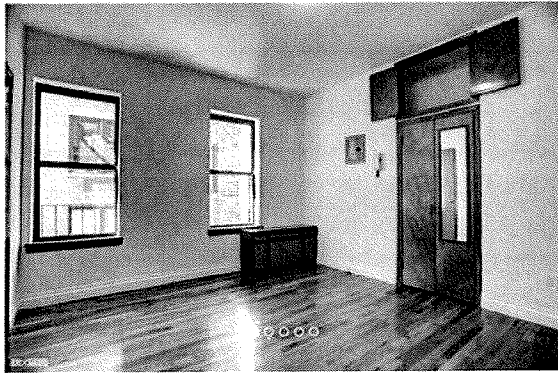


"22w77a24lav.jpg" of
"Published works of Brian Totin, 2017, Vol 2", registration number VA 2-097-805

EXHIBIT D

Secure <https://showmojo.com/b9283830ab/>

*** DO NOT SHOW UP DIRECTLY AT APARTMENT *** The meeting Place For Viewings - 184 Fifth Ave, 3RD Floor *In order to validate an appointment, The Screening Questions are required. These are 11 questions that provide information regarding your rental situation. Do not show up at the apartment as meetings begin at the office.



Schedule a Showing

TUESDAY
9:00 am

WEDNESDAY
9:00 am

WEDNESDAY
7:30 pm

THURSDAY
9:00 am

FRIDAY, JUN 15
9:00 am

TUESDAY, JUN 19
9:00 am

WEDNESDAY, JUN 20
9:00 am

WEDNESDAY, JUN 20
7:30 pm

THURSDAY, JUN 21
9:00 am

Select Other Times

UES - Massive 2 bedroom on CPW

\$3,995 / month

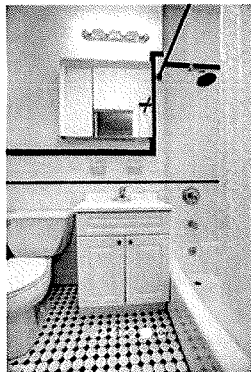
22 west 77th street - 7
New York, NY 10028

1 full bath
1004 sq. ft.
Deposit \$3995
Available now

LAUNDRY ROOM*MUSEUM BLOCK*LIVE-IN SUPER*GUT RENOVATED*1 2 bedroom/2 full bathrooms* Rarely available located across from the Museum of Natural History. Prime location, W. 77th and Central Park West. Charming and bright pre-war apartment over 1,000 sq ft features: PALATIAL living room and two KING-sized bedrooms, oak-stripped floors, high ceilings, separate renovated windowed chef's kitchen with all stainless appliances and oversized windows. First and last months required. NO PETS. Available Excellent Credit required. To view this apartment or any other please contact me anytime via cell or email. I am extremely dedicated to finding you the right home.

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Secure https://showmojo.com/#b9283830ab/




Secure https://showmojo.com/#b9283830ab/



← ↻ Secure <https://www.apartments.com/ues-massive-2-bedroom-on-cpw-new-york-ny-unit-7/hqr2ee0/>

← Map ☰ Menu 🌐 Español

 Apartments.com™

UES - Massive 2 bedroom on CPW

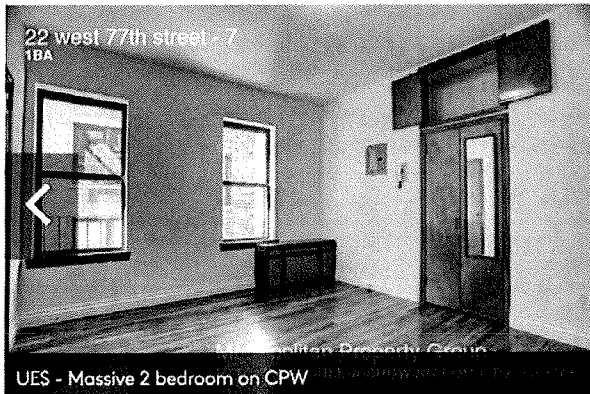
22 W 77th St, New York, NY 10024 – Upper West Side



Studio \$3,995

 Avoid Scams

Home / New York / New York / UES - Massive 2 bedroom on CPW



Beds	Baths	Rent	Unit #	Sq Ft	Available
Studio	1 Bath	\$3,995	7	1,004 Sq Ft	Available Now

Prices and availability subject to change without notice.

About UES - Massive 2 bedroom on CPW

---- SCHEDULE A SHOWING ONLINE AT:


<http://showmojo.com/lac/b9283830ab> ----

*LAUNDRY ROOM*MUSEUM BLOCK!*LIVE-IN SUPER*GUT RENOVATED*! 2

← Map

Menu

Español

 Apartments.com

UES - Massive 2 bedroom on CPW

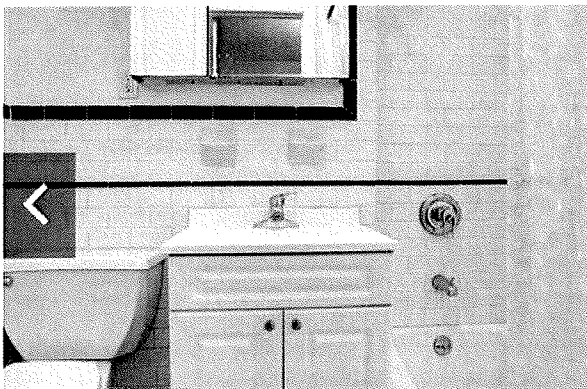


22 W 77th St, New York, NY 10024 – Upper West Side

Studio \$3,995



Home / New York / New York / UES - Massive 2 bedroom on CPW



Beds	Baths	Rent	Unit #	Sq Ft	Available
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About UES - Massive 2 bedroom on CPW

---- SCHEDULE A SHOWING ONLINE AT:

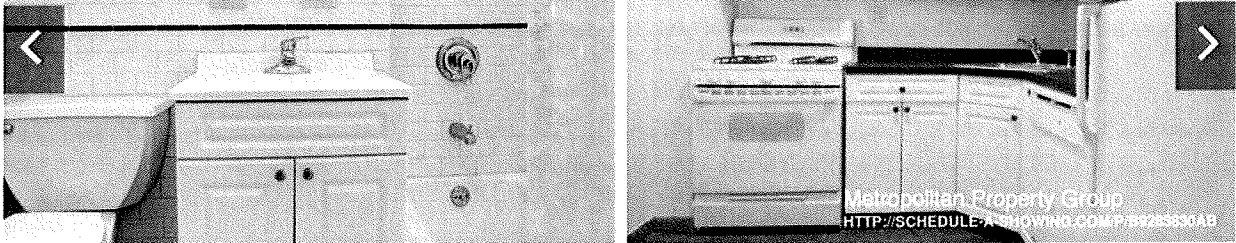
<http://showmojo.com/lac/b9283830ab> ----

*LAUNDRY ROOM*MUSEUM BLOCK!*LIVE-IN SUPER*GUT RENOVATED*! 2

Secure <https://www.apartments.com/ues-massive-2-bedroom-on-cpw-new-york-ny-unit-7/1qr2ee0/> Sign Up / Sign In

Menu Español Apartments.com

Studio \$3,995



Beds	Baths	Rent	Unit #	Sq Ft	Available
Studio	1 BA	\$3,995	7	1,004 Sq Ft	Available Now

Prices and availability subject to change without notice



About UES - Massive 2 bedroom on CPW

---- SCHEDULE A SHOWING ONLINE AT: <http://showmojo.com/lac/b9283830ab> ----

*LAUNDRY ROOM*MUSEUM BLOCK!*LIVE-IN SUPER*GUT RENOVATED*! 2 bedroom/2 full bathrooms* Rarely available located across from the Museum of Natural History. Prime location, W. 77th and Central Park West. Charming and bright pre-war apartment over 1,000 sq ft features: PALATIAL living room and two KING-sized bedrooms, oak-stripped floors, high ceilings, separate renovated windowed chef's kitchen with all stainless appliances and oversized windows. First and last months required. NO PETS. Available Excellent Credit required. To view this apartment or any other please contact me anytime via cell or email. I am extremely dedicated to finding you the right home.

← ↻ Secure <https://www.apartments.com/ues-massive-2-bedroom-on-cpw-new-york-ny-unit-7/hqr2ee0/> ☆ ⋮

← ☰ Menu 🌐 Español **Apartments.com** Sign Up / Sign In

Studio \$3,995  

Studio 1 BA \$3,995 7 1,004 Sq Ft Available Now

Prices and availability subject to change without notice.

About UES - Massive 2 bedroom on CPW

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Contact


Protect yourself from fraud. Do not send money to anyone you don't know.

 Report an Issue

 Avoid Scams

Charles P. Munroe

📞 929-351-2644  Contact Property

 View Property Website